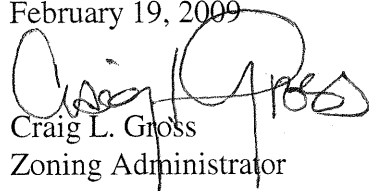




MEMORANDUM

TO: DSD Staff

DATE: February 19, 2009

FROM: 
Craig L. Gross
Zoning Administrator

SUBJECT: Water Harvesting Cisterns

The following is a clarification of existing Land Use Code regulations regarding the heights and setbacks of water harvesting cisterns.

Cisterns are storage tanks for rainfall collected from a roof or other catchment area. A water harvesting cistern is considered an accessory structure. Land Use Code Sections 3.2.5 and 3.2.6 detail the requirements for accessory structures. The following standards are to be used for reviewing cisterns for zoning purposes:

1. A cistern no more than five (5) feet in height and no more than ten (10) square feet in area (approximately 3.5 feet in diameter), may be placed anywhere within a property boundary with zero (0) setbacks from property lines (LUC 3.2.5.2.F).
2. A cistern over five (5) feet but no more than six (6) feet in height and no more than ten (10) square feet in area (approximately 3.5 feet in diameter), may be placed anywhere in the defined side or rear yard (excluding street perimeter yards) with zero (0) setbacks from property lines (LUC 3.2.5.2.C) if screened by a wall or fence of equivalent height.
3. A cistern over six (6) feet in height or more than ten (10) square feet in area (approximately 3.5 feet in diameter), may be placed anywhere in the defined side or rear yard subject to compliance with the perimeter yard width requirements applicable to the zone. The perimeter yard width requirements may be reduced with the written consent of the adjoining, or when separated by an alley, the adjacent property owner, or by completing the Design Development Option (DDO) process (LUC 3.2.5.2.C).
4. A cistern that is part of and integrated into the design of the principal building may be considered part of the principal building as determined by the Zoning Administrator on a case by case basis.
5. Maximum height of a cistern in a residential zone is twelve (12) feet (LUC 3.2.5.3.B). Maximum height of a cistern in a commercial zone is equal to the height limitation of the principal building (LUC 3.2.5.4.B). All height measurements are from established design grade at the base of the cistern and includes any foundations or bases required to support the cistern.
6. Other applicable building codes and fire codes may apply.